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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,510	01/25/2007	Hiroshi Nishimura	294723US3X PCT	2077
10/588,510 01/25/2007 Hiroshi Nishimura 294723US3X PCT 22850 7590 11/24/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.	IINER			
1940 DUKE STREET			KUNEMUND, ROBERT M	
ALEAANDRIA, VA 22314			ART UNIT	PAPER NUMBER
		1792		
			NOTIFICATION DATE	DELIVERY MODE
			11/24/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time image be reading before the procession of 37.CFE 1.136(a), in or event, browner, may a reply be miley fleet. If NO period for reply a specified above, the maximum statutory period will apply and will explye SIX (3) MONITHS from the maining date of this communication. Failure for exply willing he set or contended period for reply will by statute or contended period for reply will be set or contended period for reply will be desired that these morths after the maining date of this communication, even if timely filed, may reduce any seemed plante than adjustment. Set 37.CFR 1.704(b). Status 1) Responsive to communication(s) filed on 10 September 2008. 2a) This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1 and 3-7 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s)		Application No.	Applicant(s)					
Robert M. Kunemund 1792	Office Action Comments	10/588,510	NISHIMURA ET AL.					
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DETAILED ACTION

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani et al. (US 3817710) in view of Geho (2003/0041797).

Regarding claim 1, Mizutani discloses a single-crystal growth apparatus which comprises spheroid mirror (23), heat source (21) located at one foci (F1) of the spheroid mirror, a feed rod (25) and a seed crystal rod (24) located at the other foci (F2) of the spheroid mirrors, a quartz tube (35) surrounding the feed rod and seed crystal rod, and shaft drive (34) means for rotating and vertically moving (38) crystal draft shafts respectively supporting the feed rod and seed crystal rod, and in which infrared rays of the heat sources are reflected by the spheroid mirrors to irradiate the feed rod and seed crystal rod located at the other foci, thereby growing the crystal, which the apparatus is characterized in that the minor axis/major axis ratio of the spheroid mirrors is 0.9 to 0.95. See Fig. 1-4; col. 1, line 30 - col. 6, line 70.Furthermore, Mizutani discloses a total power of 1.5 kW, thereby making it possible to achieve heating performance of 2000°C. However, Mizutani does not disclose more than one mirror, an interfocal distance of 41.1 to 67 mm, or a major axis of 57.7 to 80 mm and a minor axis of 52 to 76 mm. However, the Geho reference teaches using two separate heat sources or mirrors for crystallization, note figures. It would have been obvious to one of ordinary skill in the art at the time of the invention

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to modify the Mizutani reference by the teachings of the Geho reference to include more than one mirror in order to uniformly heat. Further, it would have been obvious to one of ordinary skill in the art to modify the distance between the two foci in order to change the heat irradiating the feed rod and seed crystal rod and split the power to not over heat one side.

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- 2. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani et al. (US 3817710) in view of Mizutani et al. (US 3761677) and Geho.
- 3. Regarding claim 3, Mizutani '710 does not disclose bi-spheroid mirrors.

However, Mizutani '677 discloses bi-spheroid mirrors (1, 1'). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include bi-spheroid mirrors, such as suggested by Mizutani '677, to increase the reflecting surface. 4. Regarding claim 4, Mizutani '710 discloses an air-cooling unit (36) for introducing cooling gas for cooling the spheroid mirror, a heat source (21), and a flow rate of 2.5 L/s, or 0.15 ma/min. See col. 4, lines 13-17.

Regarding claim 6, Mizutani '710 discloses a cooling water heat exhaust system, where halogen lights (radiator) raise the temperature of the mirror, cooling water is supplied to cool to mirror, and cooling air is supplied by an exhaust pipe. See col. 4, lines 17-63. However, Mizutani '710 does not disclose internal water-cooling jackets or heat insertion holes. Mizutani '677 discloses internal water-cooling jackets (61,61') and heat insertion holes (4). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include water-cooling jackets and heat insertion holes, such as suggested by Mizutani '677, to cool the spheroid mirrors and to insert the heating source, respectively. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention that the apparatus is capable of cooling the

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spheroid mirrors at a flow rate of 1.2 to 2.3 ma/min. Lastly, it would have been obvious to one of ordinary skill in the art at the time of the invention that the air flow could become turbulent in the inner space of the spheroid mirrors when the air is flowing at a rate of 1.2 to 2.3 ma/min.

Applicant's arguments with respect to claims 1 and 3 to 7 have been considered but are most in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Kunemund whose telephone number is 571-272-1464. The examiner can normally be reached on 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Kornakov can be reached on 571-272-1303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Robert M Kunemund Primary Examiner Art Unit 1792

RMK

/Robert M Kunemund/ Primary Examiner, Art Unit 1792